

JOHNSTON CITY COUNCIL
COUNCIL MEETING NO. 16-08
Johnston City Hall, 6221 Merle Hay Road
April 4, 2016
7:00 p.m.

1. CALL TO ORDER

Mayor Dierenfeld called the meeting to order at 7:09 p.m.

2. ROLL CALL

Present: Clabaugh, Lindeman, Brown, Cope, Temple
Absent: None

3. WELCOME

Mayor Dierenfeld welcomed residents and guests to the meeting.

4. PLEDGE OF ALLEGIANCE

Chief of Police Dennis McDaniel led the meeting in the Pledge.

5. AGENDA APPROVAL

City Clerk Cyndee Rhames noted that agenda item 8H should read allowing R-3 and R-4 uses as noted in the Resolution.

Motion by Lindeman second by Cope to approve the Agenda as noted.

ROLL CALL: Aye: Lindeman, Brown, Cope, Temple, Clabaugh
Nay: None

Motion Approved: 5-0

6. PUBLIC COMMUNICATIONS

Oath of Office – Chief of Police Dennis McDaniel

Mayor Dierenfeld administered the Oath of Office to Chief McDaniel.

6. PUBLIC HEARINGS

a. Conduct a Public Hearing and consider the following items related to the Flume Repair and Water Quality Improvements in Green Meadows project:

- Resolution No. 16-72 – Adopting plans, specifications, form of contract, and estimate of costs;
- Consideration of construction bids;
- Resolution No. 16-73 – Making award of construction contract to TK Concrete of Pella, Iowa;
- Resolution No. 16-74 – Approving construction contract and bond with TK Concrete of Pella, Iowa.

The Public Hearing opened at 7:17 p.m.

Parks Director John Schmitz reviewed the bids received, noting that the project had been divided up into a base bid and several alternates to ensure that as much as the project as possible could be completed based on the bids received.

Schmitz noted that with the use of stormwater funds and trail funds the cost of the base bid and bid alternates 1, 3, 4, and 5 would be completed.

Schmitz noted that engineer was recommending awarding the contract to TK Concrete. Schmitz also noted that the signed contracts had not been received by the time of the meeting, but staff did not feel this represented any sort of concern.

Council Member Clabaugh thanked Schmitz and Foth Infrastructure Engineer Josh DeBower for meeting with the Green Meadows neighborhood.

No public comments were received.

The Public Hearing closed at 7:24 p.m.

Motion by Clabaugh second by Cope to approve Resolution No. 16-72.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh, Lindeman

Nay: None

Motion Approved: 5-0

Motion by Clabaugh second by Cope to approve Resolution No. 16-73.

ROLL CALL: Aye: Cope, Temple, Clabaugh, Lindeman, Brown

Nay: None

Motion Approved: 5-0

Motion by Clabaugh second by Cope to approve Resolution No. 16-74, contingent upon receipt of the signed contract and bond from TK Concrete.

ROLL CALL: Aye: Temple, Clabaugh, Lindeman, Brown, Cope

Nay: None

Motion Approved: 5-0

7. CONSENT AGENDA

- a. Consider Minutes of March 21, 2016 Worksession
- b. Consider Minutes of March 21, 2016 Council Meeting.
- c. Consider Resolution No. 16-80– Approving staff appointments and establishing wages.
- d. Consider the renewal of a Class B Wine Permit and a Class C Beer Permit for the Hy-Vee Gas Convenience Store at 5902 Merle Hay Road.
- e. Consider the renewal of a Class B, C, and E Liquor License to include Sunday sales for Hy-Vee Food Store, 5750 Merle Hay Road.
- f. Consider the renewal of a Class B, C, and E Liquor License to include Sunday sales, as well as an ownership update for Walgreens #5944, 6200 Merle Hay Road.
- g. Consider a Class C Liquor License including outdoor service for the Johnston Chamber of Commerce – Green Days Celebration.
- h. Consider Resolution No. 16-79 – Accepting a petition to rezone approximately 13.03 acres north of Windsor Parkway and west of Thomas Avenue from PUD to a new PUD allowing R-3 uses at a maximum density of 16 units per acre and R-4 uses at a maximum density of 16 units per acre.
- i. Consider Resolution No. 16-75 – Authorizing a contract amendment with Snyder & Associates for work related to the Terra Lake Phase 2 and Phase 3 project.
- j. Consider Resolution No. 16-76 – Waiving the prohibition of possession and use of alcohol in Johnston Commons Park for Kites on the Green and Metro Arts Jazz in July.
- k. Consider approval for out-of-state travel for Scott Chiri to attend the 2016 Show for Snow conference in Hartford, Connecticut May 22-25, 2016.
- l. Consider approval of Pay Request No. 1 from United Contractors, Inc. in the amount of \$226,993.65 for work completed as of March 18, 2016 on the NW 70th Avenue Improvements –Retaining Wall project.
- m. Consider approval of Pay Request No. 2 from Alliance Construction Group in the amount of \$85,689.81 for work completed as of March 18, 2016 on the NW 70th Avenue Improvements NW 98th Street to west city limits project.
- n. Consider Resolution No. 16-77 – Accepting the NW Frost Way Water Main Relocation project and Resolution No. 16-78 – Releasing retainage on the NW Frost Way Water Main Relocation project.
- o. Consider approval to enter into an agreement with Foth Infrastructure for the NW 54th Court Improvements – Phase 3 project.
- p. Receive and file the following reports:

1. Update Tax Increment Financing Annual Certifications for November 2015

Motion by second by to approve the Consent Agenda as presented.

ROLL CALL: Aye: Clabaugh, Lindeman, Brown, Cope, Temple
Nay: None

Motion Approved: 5-0

Council Member Cope noted that he would like a correction to the Minutes in item 8B. He noted that he would like the March 21, 2016 minutes (on page 4) to reflect that the Council was acting under Code §183.09 as the basis for setting minimum requirements for residential development on Lot 2 of Coons Plat 2.

Motion by Cope second by Lindeman to reconsider the Consent Agenda to include the language regarding §183.09 in item 8B.

ROLL CALL: Aye: Brown, Clabaugh, Lindeman, Temple, Cope
Nay: None

Motion Approved: 5-0

9. NON-CONSENT AGENDA

- a. First Consideration of Ordinance No. 943– Establishing the street grades for the NW 60th Avenue Improvements from Merle Hay Road to 667 feet east of Merle Hay Road project. Public Works Director Dave Cubit, noted that this Ordinance is part of the NW 60th Avenue project and is standard for this type of project. Cubit also noted that staff is requesting waiving of Second and Third Consideration and to adopt and publish.

Motion by Temple second by Lindeman to approve First Consideration of Ordinance No. 943.

ROLL CALL: Aye: Lindeman, Brown, Cope, Temple, Clabaugh
Nay: None

Motion Approved: 5-0

Motion by Cope second by Temple to waive Second and Third Consideration of Ordinance No. 943 and to adopt and publish.

ROLL CALL: Aye: Brown, Cope, Temple, Clabaugh, Lindeman
Nay: None

Motion Approved: 5-0

- b. Consider Resolution No. 16-69 – Approving PZ Case 16-04, Wilkie Addition Preliminary Plat, located east of the intersection at NW 64th Place and NW 51st Street. Planning Intern Clayton Ender reviewed the proposed plat, including conditions for approval specifically related to traffic and stormwater. He also noted that the preliminary plat meets all bulk regulations. Ender advised that comments from neighbors had been received and were included in the packet or on the dais. Ender also noted that Foth Infrastructure was recommending tabling of this item until a more comprehensive review of the impact this development may have on existing stormwater issues in the area. Council members discussed taking a long view for future development in the area as there are a number of issues that need to be looked at including roadway improvements, traffic, sidewalks, stormwater, and utilities.

Public Works Director Dave Cubit noted that this area is part of the East of Merle Hay Road Improvements project, but the timing of those improvements has not been established for the area.

Council Member Brown inquired as to whether or not the city was acquiring the appropriate right-of-way for improvements in the area. Brown also had questions regarding the timing of connecting Dewey Park to the existing sidewalk or trails in the area.

Deanne Walker-King addressed the Council regarding the property and her intent to create a legacy for her parents, who were long-time Johnston residents who had dreams of developing the land. She noted that she shares some of the same concerns that the neighbors have voiced and that she wants this project done right.

Krystle Campa, attorney at Brown Davis Law Firm, representing the developer, introduced the engineer for the developer, noting that he could answer questions relating to the stormwater issue.

Chris Thompson of Cooper Crawford & Associates addressed the Council regarding the stormwater issue. He noted that he felt the proposed stormwater plan would help the water issue in the area.

Jim Evans, 5125 NW 64th Place, addressed the Council, noting that he was in talks with a developer for 4.5 acres in the area which may help address some of the concerns expressed by the Council.

Chuck Howieson, 6382 NW 51st Street, noted that the existing tile in the area is at capacity and just can't handle any more water.

Lois Rexroat, 6361 NW 51st Street, provided pictures of the flooding that occurs on her property and talked about the impact that has on her home.

Debbie Lemke, 6394 NW 51st Street, addressed the Council on her concerns regarding traffic and pedestrians in the area.

Senior Planner Aaron Wolfe noted that gaining some control of the stormwater in the area will likely improve conditions in the area.

Council Member Temple advised that he did not agree and that he felt looking at the piece of land to the east was integral to any decisions made on the proposed development.

Motion by Temple second by Clabaugh to table the item to an unspecified date

ROLL CALL: Aye: Cope, Temple, Clabaugh, Lindeman, Brown
 Nay: None

Motion Approved: 5-0

- c. Consider approval of Claims in the amount of \$565,243.48

Motion by Clabaugh second by Temple to approve Claims as presented.

ROLL CALL: Aye: Temple, Clabaugh, Lindeman, Brown, Cope
 Nay: None

Motion Approved: 5-0

10. CITY ADMINISTRATOR/STAFF COMMENTS

a. MS4 Permit Update

City Administrator Jim Sanders noted that the MS4 report was contained in the packet. He also recognized those staff members who played a part in the city’s compliance efforts.

b. Camp Dodge Joint Maneuver Training Center Report

Sanders noted that he had provided information obtained from Camp Dodge regarding their impact in the community.

c. Deer Hunt Report

Sander noted that there were 23 deer taken during the 2015-2016 deer hunt and that there were no injuries or issues during the season.

WS6. SPEED LIMITS ALONG NW 78TH STREET, NW 100TH STREET, AND NW 107TH STREET

City Administrator Jim Sanders noted that staff had responses from 11 NW Area residents regarding the various speed limits in the area, and that while there was no unanimous decision, the majority of those responding preferred a consistent speed of 40 mph for NW 78th Street, NW 100th Street, and NW 107th Street. Sanders advised that staff would work with the other entities to see if a consistent speed limit is a possibility for those roadways maintained by Johnston, Grimes, and Polk County.

WS7. EMERGENCY PLAN UPDATE

Sanders noted that there were no changes to the plan, just an update to the contact information contained in the plan. Sanders encouraged the Council to review their plan books.

Sanders noted that Teresa Rotschafer was being given the 2016 Award of Excellence by the National Public Employers Labor Relations Association at their upcoming annual conference.

Sanders also reminded everyone of the Spring Cleanup event being held on April 18 and 19.

11. CITY COUNCIL COMMENTS

Mayor Dierenfeld reminded everyone that Kites on the Green will be held the first weekend in May and encouraged participation in the variety of workshops being held leading up to the event.

12. UPCOMING MEETINGS

April 18, 2016	City Hall	Worksession 6:00 p.m. Meeting 7:00 p.m.
May 2, 2016	City Hall	Worksession 6:00 p.m. Meeting 7:00 p.m.

13. ADJOURNMENT

The meeting adjourned at 8:33 p.m.

Paula S. Dierenfeld, Mayor

ATTEST:

Cyndee Rhames, City Clerk